

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOANNE WOLFF, *individually and on
behalf of a class of similarly situated
individuals,*

Plaintiff,

v.

AETNA LIFE INSURANCE
COMPANY and THE RAWLINGS
COMPANY LLC,

Defendants.

No. 4:19-CV-01596

(Judge Brann)

ORDER

AND NOW, this 2nd day of April 2020, in accordance with the
accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that:

1. Defendants' Motion to Dismiss the Amended Complaint (ECF No. 12) is **GRANTED IN PART** and **DENIED IN PART**.
2. Defendants' motion to dismiss is **DENIED** with respect to Count IV and Count V.
3. Defendants' motion to dismiss is **DENIED** with respect to Count I and Count VI. However, the headings for Count I and Count VI are **STRICKEN**.
4. Defendants' motion to dismiss is **DENIED** with respect to Count II. However, Count II is **SUBSUMED BY** Count III.

5. Count VII, Count VIII, Count IX, Count X, Count XI, Count XII, Count XIII, Count XIV, and Count XV are **DISMISSED** with prejudice.
6. With respect to Defendant The Rawlings Company LLC, Count III is **DISMISSED** without prejudice.
7. Wolff's claim for extra-contractual bad faith damages and her jury demand are **DISMISSED**.
8. Plaintiff is given leave to file a second amended complaint consistent with this Order and accompanying Memorandum Opinion on or before April 16, 2020.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann
United States District Judge